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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,727	10/29/2003	Hideo Kitami	Q78161	4052
23373	7590	11/19/2007		
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER AJIBADE AKONAI, OLUMIDE	
			ART UNIT 2617	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/694,727	Applicant(s) KITAMI ET AL.	
	Examiner Olumide T. Ajibade-Akonai	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18 and 23 is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7,9-11,13,15-17 and 19-22 is/are rejected.
- 7) ☒ Claim(s) 2,6,8,12 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/13/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/29/03, 8/4/06, 10/11/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-5, 7, 9-11, 13, 15-17, and 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by **Ishibashi et al 20030115359 (hereinafter Ishibashi)**.

Regarding **claims 1 and 19**, Ishibashi discloses, a method in a wireless LAN terminal (PC 30, see fig. 1, p.2, [0029]) comprising: a reception means for receiving a wireless LAN signal (digital/analog signal, see fig. 1, p.2, [0029]) from another wireless LAN terminal (WLAN section 31, see fig. 2, p.2, [0035]); an encapsulation means (see fig. 2, p.2, [0035]) for encapsulating the wireless LAN signal in OSI layer 2 (WLAN section 31 of PC 30, indicating the MAC layer/OSI layer 2, see fig. 2, p.2, [0035]) by providing the wireless LAN signal with a header (Ethernet header, see fig. 3, p.2-3, [0035]-[0036]) having its own terminal's MAC address as an originating MAC address (MAC address "A", see fig. 3, p.3, [0037]) and a wireless LAN base station's MAC address as a destination MAC address (MAC address "B", see fig. 3, p.3, [0037]); and a transmission means for transmitting the encapsulated wireless LAN signal to the wireless LAN base station (WLAN section 31, see fig. 2, p.2, [0035]).

Regarding **claim 4**, as applied to claim 1, Ishibashi further discloses a channel setup means for setting a wireless channel of the reception means (see fig. 1, p.2, [0029]).

Regarding **claim 5**, Ishibashi discloses a wireless LAN base station (access point 20, see fig. 2, p.2, [0033]) comprising: an encapsulation means (see fig. 2, p.2, [0035]) for encapsulating a wireless LAN signal destined for a first wireless LAN terminal in OSI layer 2 by providing the wireless LAN signal with a header having its own base station's MAC address as an originating MAC address (MAC address "A", see fig. 3, p.3, [0037]) and a second wireless LAN terminal's MAC address as a destination MAC address (MAC address "B", see fig. 3, p.3, [0037]); and a transmission means for transmitting the encapsulated wireless LAN signal to the second wireless LAN terminal (IP router section 22 for routing messages to another access point 20 at a shop side, see p.2, [0033], p.3, [0041]).

Regarding **claims 7 and 21**, Ishibashi discloses a wireless LAN terminal (access point 20, see fig. 2, p.2, [0033]) comprising: a reception means (wireless LAN section 24, see fig. 2, p.2, [0033]) for receiving a wireless LAN signal (digital/analog signal, see fig. 1, p.2, [0029]) which is destined for another wireless LAN terminal (access point 20 on shop side A or B, see fig. 1, p.2, [0029] [0033]) and is encapsulated in OSI layer 2 (WLAN section 31 of PC 30, indicating the MAC layer/OSI layer 2, see fig. 2, p.2, [0035]) by being provided with a header having a wireless LAN base station's MAC address as an originating MAC address (MAC address "A", see fig. 3, p.3, [0037]) and own terminal's MAC address as a destination address (MAC address "B", see fig. 3, p.3,

Art Unit: 2617

[0037]); an extraction means for extracting the wireless LAN signal from the encapsulated wireless LAN signal (bridge section 23, see fig. 2, p.3, [0039]); and a transmission means for transmitting the extracted wireless LAN signal to said another wireless LAN terminal (IP router section 22 for routing messages to another access point 20 at a shop side, see p.2, [0033], p.3, [0041]).

Regarding **claims 11, 20, and 22**, Ishibashi discloses a wireless LAN terminal (access point 20, see fig. 2, p.2, [0033]) comprising: a reception means (wireless LAN section 24, see fig. 2, p.2, [0033]) for receiving a wireless LAN signal (digital/analog signal, see fig. 1, p.2, [0029]) which is transmitted from a first wireless LAN terminal (PC 30, see fig. 1, p.2, [0029]) and is encapsulated in OSI layer 2 (WLAN section 31 of PC 30, indicating the MAC layer/OSI layer 2, see fig. 2, p.2, [0035]) by being provided with a header having a second wireless LAN terminal's MAC address as an originating MAC address (MAC address "A", see fig. 3, p.3, [0037]) and own base station's MAC address as a destination address (MAC address "B", see fig. 3, p.3, [0037]); and an extraction means for extracting the wireless LAN signal from the encapsulated wireless LAN signal (bridge section 23, see fig. 2, p.3, [0039]).

Regarding **claim 13**, Ishibashi discloses a wireless LAN terminal (access point 20, see fig. 2, p.2, [0033]) comprising: a first reception means (wireless LAN section 24, see fig. 2, p.2, [0033]) for receiving a wireless LAN signal (digital/analog signal, see fig. 1, p.2, [0029]) from another wireless LAN terminal (PC 30, see fig. 1, p.2, [0029]); an encapsulation means (see fig. 2, p.2, [0035]) for encapsulating the wireless LAN signal in OSI layer 2 (WLAN section 31 of PC 30, indicating the MAC layer/OSI layer 2, see

fig. 2, p.2, [0035]) by providing the wireless LAN signal with a header having its own terminal's MAC address as an originating MAC address (MAC address "A", see fig. 3, p.3, [0037]) and a wireless LAN base station's MAC address as a destination MAC address (MAC address "B", see fig. 3, p.3, [0037]); a first transmission means for transmitting the encapsulated wireless LAN signal to the wireless LAN base station (IP router section 22 for routing messages to another access point 20 at a shop side, see p.2, [0033], p.3, [0041]); a second reception means (wireless LAN section 24, see fig. 2, p.2, [0033]) for receiving a wireless LAN signal which is destined for said another wireless LAN terminal and is encapsulated in OSI layer 2 by being provided with a header having the wireless LAN base station's MAC address as an originating MAC address and own terminal's MAC address as a destination address (MAC address "A" and "B", see fig. 3, p.3, [0037]); an extraction means for extracting the wireless LAN signal from the encapsulated wireless LAN signal received by the second reception means (bridge section 23, see fig. 2, p.3, [0039]); and a second transmission (IP router section 22, see p.2, [0033], p.3, [0041]) means for transmitting the extracted wireless LAN signal to said another wireless LAN terminal (IP router section 22 for routing messages to another access point 20 at a shop side, see p.2, [0033], p.3, [0041]).

Regarding **claims 10 and 17**, as applied to claims 7 and 13, Ishibashi further discloses a channel setup means for setting a wireless channel of the reception means (see fig. 1, p.2, [0029]).

Regarding **claims 3, 9, and 16**, as applied to claims 1, 7, and 13, Ishibashi further discloses a start/stop means for starting or stopping the reception means

Art Unit: 2617

based on a request from said another wireless terminal and a state of communication with said another wireless terminal (see figs. 1 and 2, p.2, [0029]-[0030], p.3, [0042][0045]).

Regarding **claim 15**, Ishibashi discloses wherein the first reception means and the second reception means operate in a time sharing manner using a common wireless LAN module (see figs. 1 and 2, p.2, [0029]-[0030], p.3, [0042][0045]); and wherein the first transmission means and the second transmission means operate in a time sharing manner using a common wireless LAN module (see figs. 1 and 2, p.2, [0029]-[0030], p.3, [0042][0045]).

Allowable Subject Matter

3. Claims 2, 6, 8, 12, and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 18 and 23 are allowed.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Koyanagi et al 20030063593 discloses a wireless communication system and wireless LAN access point.

Chitrapu 20030223395 discloses a flow-based selective reverse tunneling in wireless local area network (WLAN)-cellular systems.


Art Unit: 2617

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olumide T. Ajibade-Akonai whose telephone number is 571-272-6496. The examiner can normally be reached on M-F, 8.30p-5p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez-Gutierrez can be reached on 571-272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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11/8/07